

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**ROBERT V. TOWNES, IV,
Individually and on behalf of
all persons similarly situated,**

Plaintiff,

VS.

**TRANS UNION, LLC, AND
TRUELINK, INC.,**

Defendants.

CIVIL ACTION

04-1488-JJF

CLASS ACTION

**DECLARATION OF WILSON F. GREEN IN SUPPORT OF
MOTION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES AND
IN SUPPORT OF MOTION FOR FINAL APPROVAL**

Pursuant to 28 U.S.C. 1746, I, Wilson F. Green, hereby declare the following to be true and correct, under penalty of perjury:

1. My name is Wilson F. Green. I am over the age of 19 years and have personal knowledge of the facts and matters set forth herein.

2. I am an attorney and partner in the law firm of Battle Fleenor Green Winn & Clemmer in Birmingham, Alabama and Tuscaloosa, Alabama. I offer this Declaration in support of Class Counsel's Motion for Award of Attorneys' Fees and Expenses in the above-referenced action.

3. I have been engaged in the practice of law since 1994. I am a member of the Alabama State Bar (1994), the Bars of the United States District Courts for

the Northern, Middle, and Southern Districts of Alabama (1995), the Bars of the United States Courts of Appeal for the Eleventh and Fifth Circuits (1995 and 2000, respectively), and the Bar of the United States Supreme Court (2001).

4. My law practice has focused primarily on the representation of both plaintiffs and defendants in class action lawsuits. I have been involved in over 100 class action cases, representing both plaintiffs and defendants. I have successfully prosecuted class actions to judgment in favor of certified classes, for which I acted as class counsel. I have also represented defendants in defeating class certification and in prevailing on the merits of claims brought on a class-wide basis.

5. In addition to my law practice, I have served as Professor of Law (Adjunct) since 2000 at the University of Alabama School of Law, where I have taught courses in Class Actions and Complex Litigation, as well as other courses. I have also served as a consulting and testifying expert witness in class-action cases. Finally, I have also served as mediator of several class-action cases, in which I was able to facilitate class-wide settlements and other resolutions.

6. I and other members of my law firm, including my partners Harlan F. Winn and Michael J. Clemmer, have been involved in the above-referenced case from its inception, along with the substantially similar cases filed by Robbie Hillis and Christy Slack against Defendants' competitors, Equifax Consumer Services, Inc. and Fair Isaac & Company, Inc., in the United States District Courts for the

Northern District of Georgia and Northern District of California, respectively (which cases are called "*Hillis-Slack*" and are described more fully in the parties' Motion for Final Approval). We have had substantial involvement in this case in the taking and defending of discovery matters, in the taking of depositions, and in attending other proceedings, including mediation sessions and settlement conferences. We also had substantial involvement in the settlement negotiations which led to the settlement now pending before the Court for approval. That settlement is substantially the same in structure and benefits as the settlement reached in the *Hillis-Slack* litigation, which was approved by the United States District Court for the Northern District of Georgia several months ago. Those settlement negotiations were conducted so as to obtain a commitment from the defendant on all substantive terms of the settlement inuring to the benefit of the class before attorneys' fees were negotiated.

7. Because we are involved in representing both plaintiffs and defendants in litigation matters, we generally make it a practice in our firm to attempt to maintain time records for class-action matters in which are involved, regardless of whether we are representing plaintiffs or defendants in those cases.

8. The time records we maintain on the above-referenced cases show that our firm has incurred in excess of 1,000 hours of attorney time, and 150 hours of paralegal time, in prosecuting this action from inception to date. In reviewing

the time records and task descriptions contained therein, however, it is clear to us that our time records do not contain time entries for many, many phone conferences with co-counsel, some phone conferences with referring counsel, substantial numbers of phone calls with the client, and other necessary communications and other tasks for which time records would normally be maintained and which services would be reasonably incurred in the prosecution of these cases. Accordingly, while our time records show that in excess of 1,000 hours of attorney time and 150 hours of paralegal time have been expended in our involvement in these cases, those numbers are substantially lower than the actual amount of time our firm has expended in these cases.

9. Our time and billing records also show that our firm has to date incurred a total of \$13,765.47 in expenses in connection with our involvement as Class Counsel in these cases. Those expenses are primarily travel expenses associated with depositions of witnesses and mediation, and are all reasonable and directly related to the prosecution of these cases. This expense figure does not include expenses which have not yet been incurred but which will be reasonable and necessary in order to effectuate the terms of the Settlement.

Dated this the 17th day of August, 2007.

A handwritten signature in dark ink, appearing to read "Wilson F. Green", written over a horizontal line.

Wilson F. Green

CERTIFICATE OF SERVICE

I, Carmella P. Keener, hereby certify that on this 20th day of August, 2007, I caused the foregoing document to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following:

William M. Lafferty, Esquire
Morris, Nichols, Arsht & Tunnell, LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

Christopher J. Curtin, Esquire
Erisman & Curtin
P.O. Box 250
Wilmington, DE 19899-0250

/s/ Carmella P. Keener
Carmella P. Keener (DSBA No. 2810)
ROSENTHAL, MONHAIT & GODDESS, P.A.
919 Market Street, Suite 1401
Citizens Bank Building
Wilmington, DE 19899-1070
(302) 656-4433
ckeener@rmgglaw.com

ATTORNEYS FOR PLAINTIFF